



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,658	08/31/2000	Jerome R. Mahoney	IVC-103A	5478

7590
Kenneth P Glynn
24 Mine Street
Flemington, NJ 08822

07/03/2002

EXAMINER

CHOW, MING

ART UNIT	PAPER NUMBER
----------	--------------

2645

DATE MAILED: 07/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/653,658

Applicant(s)

MAHONEY, JEROME R.

Examiner

Ming Chow

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1 – 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Perrone (US-PAT-NO: 6,157,705).

For claim 1, regarding claim (a), Perrone teaches on Column 17 Line 10 FIG. 5 is a block diagram of a computer system upon which an embodiment of the present invention can be implemented. The FIG. 5 of Perrone displays a support structure for physically supporting the system as claimed. Regarding claim (b), Perrone teaches on Column 14 Line 53 the speech recognizer executes speech recognition processes on the digital voice file to recognize a natural language word, phrase, resource identifier, or command in the digital voice file. Regarding claim (c), Perrone teaches on Column 2 Line 66 integrate speech recognition software in a computer program. The computer of Perrone is the claimed microprocessor. Regarding claim (d), Perrone teaches on Column 4 Line 46 FIG. 1C shows a block diagram of hardware elements of an interactive voice response (IVR) system, The hardware elements shown on FIG. 1 of Perrone is

Art Unit: 2645

the claimed "sufficient programming and circuitry contained within said programmable microprocessor". The IVR of Perrone is the claimed "microprocessor to provide for voice activation and voice recognition and response". Perrone also teach on Column 19 Line 35 showing the locations of that class of rooms. The "locations of that class of rooms" of Perrone is the claimed "item location". Regarding claim (e), Perrone teaches on Column 3 Line the computer is connected through an interface to a microphone. The microphone of Perrone is the claimed voice input means. Regarding claim (f), Perrone teaches on Column 6 Line 42 a non-volatile memory such as a ROM is used to store bootstrap instructions and other constant information. Instructions and data for execution and use by processor are loaded from storage device into a volatile local high-speed memory such as RAM. The bootstrap instructions and other constant information of Perrone is the claimed operational inputs and control inputs. Perrone also teach on Column 18 Line 13 control of a server using voice commands is performed by computer system in response to processor executing sequence of instructions contained in memory. The voice command of Perrone is the claimed voice recognition vocabulary. Regarding claim (g), Perrone teaches on Column 15 Line 20 and FIG. 1A the computer has built-in multimedia hardware or an interface board providing sound capability. The multimedia shown on FIG. 1A (#4) of Perrone is a computer monitor that is the claimed visual feedback.

2. Regarding claim 2, Perrone teach on Column 9 Line 46 the page has graphical and text elements.
3. Regarding claim 3, the rejections of claim 1(d) and 1(g) apply to claim 3.

Art Unit: 2645

4. Regarding claim 4, Perrone teaches on Column 6 Line 42 a non-volatile memory such as a ROM is used to store bootstrap instructions. It is inherent that the bootstrap instructions include diagnostics and system programming. Perrone also teaches on Column 18 Line 13 control of a server using voice commands is performed by computer system. It is inherent that the server is a remote unit to the client.

5. Regarding claim 5, the rejection of claim 1(e) applies to the claim 5.

6. Regarding claim 6, Perrone teaches on Column 17 Line 34 a keyboard. The keyboard of Perrone is the claimed secured manual control panel. Perrone also teaches on Column 19 Line 34 locations of that class of rooms and Column 19 Line 40 in a catalog shopping application. The “catalog shopping application and locations of that class of rooms” of Perrone is the claimed item and location data.

7. Regarding claim 7, the rejection of claim 6 applies to the claim 7. Perrone also teaches on Column 10 Line 5 each of the underlined text items in the utility menu column is a hyperlink to a web page that presents information relating to the underlined text item. The rejection of claim 1(e) teaches the microphone also applies to claim 7. The rejection of claim 1(g) teaches the monitor also applies to claim 7.

8. Regarding claim 8, Perrone teaches on Column 15 line 16 the computer is equipped with hardware that can receive a digital signal representing sounds, convert the digital signal to an

Art Unit: 2645

analog signal, amplify the analog signal and lay the analog signal through one or more loudspeakers.

9. Regarding claim 9, Perrone teaches on Column 5 Line 32 the IVR system is coupled to a speech recognizer and to the server. It is inherent that the speech recognizer must have speech signal recognizer and speech signal interpreter. It is inherent that the IVR system is a continuous speech exchange system.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perrone as applied to claim 9 above, and in view of Stublely et al (US-PAT-NO: 6,092,045). Perrone failed to teach said continuous speech recognition engine utilizes tokens of raw acoustic signals representing utterances or words and matches these against a set of models and the relies upon likelihood to select a most likely model to decode signals for interpretation. However, Stublely et al teach on Column 7 Line 26 each word in the vocabulary is represented by a string of hidden Markov models (HMMs), one for each phoneme in the word. The HMMs of Stublely is the claimed speech recognition engine as supported by the application specifications (Page 38 Line 10 of application specification). It would have been obvious to one skilled at the time the

Art Unit: 2645

invention was made to modify Perrone to have speech recognition engine utilizes tokens of raw acoustic signals representing utterances or words and matches these against a set of models and the relies upon likelihood to select a most likely model to decode signals for interpretation as taught by Stubley such that the modified system of Perrone would be able to support the HMMs to the system users.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Fawcett et al (US-PAT-NO: 5,802,526) teaches system and method for graphically displaying and navigating through an interactive voice response menu.
- Ruhl (US-PAT-NO: 6,108,631) teaches input system for at least location and/or street names.

12. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (703) 305-4817. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or

Art Unit: 2645

proceeding should be directed to the Customer Service whose telephone number is (703) 306-0377. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to TC2600's Customer Service Fax Number 703-872-9314.

Patent Examiner

Art Unit 2645

Ming Chow



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

